IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI

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| MONTANARO, CARL ANTHONY | ) | Case No. 08-60665 |
| MONTANARO, ANNETTE | ) | Chapter 7 |
| Debtor(s). | ) | |
| | ) | |

**TRUSTEE'S OBJECTION TO AMENDED EXEMPTIONS**

The Trustee states as follows:

1. The trustee objects to the claim of Franklin Templeton Roth IRA, LPL Roth IRA of March 4, 2008 of $5,500 (Carl Montanaro), and LPL Roth IRA of March 5, 2008 of $3,500 (Carl Montanaro) exempt under the provisions of § 513.430.1(10)(f) for the reason that debtor cannot claim the above mentioned Roth IRAs as exempt because he committed fraud before this court.
2. Carl Montanaro closed an account with American Funds and placed $500 in the Roth account.
3. Mr. Montanaro further removed $7,000 from an Oppenheimer Fund and purchased the Roth accounts.
4. On April 30, 2008, Carl Montanaro took $6,000 and purchased a Roth IRA through LPL Financial post petition.
5. The debtor filed for relief under Chapter 7 on April 21, 2008.
6. The debtor attempted to convert non-exempt assets into an exempt IRA within less than thirty days of his bankruptcy filing. Under this court's ruling on *In Re: Orgeron 05-63826*, the debtor is not allowed to exempt such property because of the fraudulent transactions in making this purchase.

WHEREFORE, the trustee requests an order of the Court sustaining this objection.

/s/ Kevin Checkett
Kevin Checkett, Trustee
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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served electronically to those parties who have entered an appearance in the court's Electronic Court Filing (ECF) System and conventionally, via first-class mail, postage prepaid, to those parties below, if any, who have requested notice but are not participating in the ECF System, on the date entered on the court's docket: **Carl & Annette Montanaro,** 725 Birchwood Road, Marshfield, MO 65706

/s/Kevin Checkett
Attorney of Record